

No. 06-4655

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

RICHARD WADE COOEY, II,  
Plaintiff

JOHN G. SPIRKO, JR.,  
Intervenor - Appellant

v.

ROBERT TAFT, GOVERNOR,  
Defendant - Appellee

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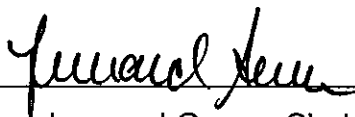
O R D E R

Before: BATCHELDER, Chief Circuit Judge; DAUGHTREY and GILMAN, Circuit Judges

In light of the commutation of the appellant's sentence from death to life without possibility of parole, and upon the advice of the parties that the case need not continue on the court's docket;

It is ORDERED that the appeal be, and it hereby is, DISMISSED.

ENTERED BY ORDER OF THE COURT

  
Leonard Green, Clerk

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Leonard Green  
Clerk

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Filed: December 14, 2009

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Re: Case No. 06-4655, *Cooey v. Taft, et al*  
Originating Case No. : 04-01156

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Laura A. Jones  
Case Manager  
Direct Dial No. 513-564-7023  
Fax No. 513-564-7098

cc: Mr. James Bonini  
Mr. Alvin B. Dunn  
Ms. Carol Ann Ellensohn  
Mr. Brian J. Laliberte  
Mr. David C. Stebbins

Enclosure

No mandate to issue